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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twentieth session

SUMMARY RECORD OF THE 16th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 5 May 1999, at 3 p.m.

Chairperson: Mrs. BONOAN-DANDAN

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GE.99-41612 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 8) (continued)

Initial report of Ireland

(E/1990/5/Add.34; E/C.12/Q/IRE/1; HRI/CORE/1/Add.15/Rev.1; HR/CESCR/NONE/1991/1) (continued)

1. At the invitation of the Chairperson, the delegation of Ireland resumed their places at the Committee table.

2. The CHAIRPERSON invited Mr. Pillay to open questions on articles 10, 11 and 12.

3. Mr. PILLAY, following up on earlier discussion, addressed the issue of child poverty, under the right to an adequate standard of living (art. 11). The delegation had accepted that child poverty was a problem in Ireland; in fact Ireland had the second highest level of child poverty among the EU countries according to the 1998 report of the Combat Poverty Agency. One means to alleviate that was Child Benefit, and he wondered why, given that it was among the lowest levels of aid in EU countries, that benefit could not be increased? Combat Poverty had researched the costs involved in rearing children; it would therefore be easy to find out the level of benefit required to reduce child poverty.

4. Not only did Ireland have an alcohol problem, but according to a 1998 WHO report, tobacco products were the single most important factor of the disease burden facing Ireland. In the light of that fact, was the Government prepared to follow the WHO guidelines, including increased taxation on tobacco products and a total advertising ban? That would also be in line with the EU directive of July 1998 that tobacco products should be increasingly regulated and tobacco-treatment products deregulated.

5. Mr. HUNT wanted to address housing issues under article 11. Paragraph 152 of the written replies was helpfully candid in acknowledging the serious problems posed by rapid housing price increases. Put simply, demand had far outstripped supply and had reached crisis point. The replies referred to the Action on House Prices policy initiated following the Bacon Report; had that action been effective? Had the assessment of the effects of the policy and future prospects, mentioned in paragraph 156 of the written replies, been completed? If so, what were its conclusions?

6. With regard to house buying, what was the rate of increase of house prices over the past few years, including, if possible, the first quarter of 1999? Had the measures introduced in April 1998 restored the possibility for first-time buyers on average incomes to buy a house? Local authorities played a major role in the sphere of housing; had the number of households on local authority waiting lists increased over the past three years? If so, what was the rate of increase?

7. What was the official figure for homelessness over the past three or four years? Was current provision of emergency accommodation for the homeless adequate to meet the estimated need? On the question of Travellers, how many families in the Travelling Community were living on roadsides or on unauthorized sites? He had many other similarly detailed questions, but unfortunately there was not time to ask them all.

8. Mr. CEAUSU had several remarks on the right to health, particularly the protection and care of mentally handicapped people. There was scant information in the report, which was why the Working Group had asked question 33 of the list of issues. He was grateful for the information given in reply and impressed by details of the additional revenue and capital funding for 1998, 1999 and the year 2000, to be invested in services for the mentally handicapped. He took note of the information on the ongoing programme to transfer people from psychiatric hospitals to more appropriate care settings. However, he noted with concern that paragraphs 168 and 169 of the written replies stated that there were no plans for specific legislation in respect of persons with a mental handicap, while it added further on that a new Mental Health Bill would provide greater safeguards for those people. The replies addressed the issue of the mentally ill who needed to be detained for treatment; however the questions had actually referred to people with a mental handicap, bearing in mind that such people were handicapped for life and were not helped by treatment. In providing services for that category of people, society was helping the families of those concerned to bear the heavy burden of handicap. According to NGO sources, under Irish law there was no clear legal entitlement to services. The Health Acts enabled health boards to provide services, but did not require them to do so.

9. There had never been any legislation setting out the rights of the mentally handicapped, nor did any legislation effectively prevent discrimination against them. Legislation was therefore needed to set out the rights of mentally handicapped people as a specific category, the main objective being to prohibit discrimination, and to provide a means for those people and their families to complain in cases where their rights were not respected. He would appreciate more information on the plans and concerns of the Irish authorities with respect to people with a mental handicap.

10. Mr. McDONAGH (Ireland) introduced the expert members of the delegation to answer questions in their respective fields.

11. Mr. MANGAN (Ireland) said that two specific social security issues had been raised, the first by Mr. Ceausu on contribution requirements for Maternity Benefit. The purpose of the requirements was partly to ensure that applicants had paid contributions to the social insurance scheme. Thirty-nine weeks' contributions was the standard basic period for all short-term benefits, but maternity benefit conditions were actually easier to satisfy, since they could be based on 39 weeks paid within the previous 12-month period. For someone who had already left the workforce, previous contributions, going back up to 15 months, could be taken into consideration. Maternity Benefit was designed to ease the financial burden of leaving the workforce. The basic structure was similar to that in other EU countries.

12. Research had shown that families with more than three children had a higher risk of poverty, so Ireland had a two-tier Child Benefit system, with a higher rate for the fourth and subsequent children. Since 1995 both rates had increased significantly, the lower by 72 per cent and the higher by 84 per cent, and were meeting the real need. Family Income Supplement, designed to help those on low wages, was now based on net income, and the income bases for the supplement had been increased. Ireland had a focused approach to using child income support in the best possible way. Evidently it was not desirable to create a disincentive for people to take up employment, since employment was the main route to income adequacy.

13. The National Anti-Poverty Strategy had been initiated in 1997 in response to the United Nations World Summit for Social Development. It had, therefore, only been in place for two years, hence its absence from the report under consideration, dating from 1996. The Strategy would be central to subsequent reports. The structures were working well. The Combat Poverty Agency, which predated it, had had the task of analysing poverty and making the results available to the Government and civil society. Results could be fed into a clear government structure dealing with poverty, which simplified the task, since poverty crossed several government departments. Each department had to prepare a statement on poverty; some had little to offer but others had produced significant publications on their strategy. Each department also had to give an annual work plan and a report on compliance with anti-poverty objectives. The first consolidated report of all departments was to be published within a month, and the delegation would be pleased to make it available to the Committee. He could spend considerable time on details of the achievements and outcomes, but there were other questions to respond to.

14. He had already mentioned improvements in employment, and wished to stress that reduction in unemployment was the key factor in the National Anti-Poverty Strategy. Particular attention was being paid to the long-term unemployed who had a greater incidence of poverty. Regarding income adequacy, the Commission on Social Welfare had set target rates, but the whole approach to Social Welfare payments needed to be reviewed, particularly to ensure that they kept pace with inflation. The ESRI (Economic and Social Research Institute) had prepared a study in 1996, followed by a study by the Department of Social, Community and Family Affairs, on the period 1994 to 1997, to see whether benefits were properly targeted and to what extent it was necessary to increase them.

15. Rural development had been identified as a major need area and a White Paper on it was expected before long. Voluntary groups and NGOs had been key players in tackling poverty, and a White Paper on State interactions with them would also be published. Regarding the possibility of a rights-based approach to the anti-poverty strategy, health and housing inter alia did have a legal basis in Irish law. Ireland had ratified the European Social Charter, the European Code on Social Security and various ILO instruments, and the Government was keen to continue complying with them. Clearly more thought could be given to the rights-based approach and he would raise the issue when reporting back to the Inter-Departmental Committee on the Anti-Poverty Strategy.

16. Within the European Union there was a recommendation on minimum income and on convergence of social indicators. The issue was how best to achieve the goal. The EU and the OECD were both trying to develop social indicators in order to compare whether countries at a similar level of development were doing better or less well in specific areas. They were interested in the work done by the United Nations on indicators, which allowed transparency in comparison.

17. Benchmarking was also important. Ireland liked to study good practice and to see, for instance, whether other countries were obtaining better results using the same resources. Already countries were carefully watching one another in the area of employment to see whether effective policies from elsewhere were transferable. Ireland was keen to become involved. The recent Programme 2000, which dealt with poverty and social welfare, had also mentioned benchmarking. That was an area Ireland wanted to develop further.

18. Poverty-proofing was a significant feature of the National Anti-Poverty Strategy. Policies were assessed at the design and review stages with regard to the likely effects of new policies and the actual effects of implemented policies. Poverty-proofing had only come into operation in September 1998. According to the Rules for Government Memoranda, every policy had to indicate the risk it entailed for those affected by poverty; after a one-year trial in civil service departments, it would be extended. Poverty-proofing already applied to the preparation of strategies and annual business plans. It would in future apply to annual estimates, budget proposals and the preparation of legislation. The 1999 budget had been almost finalized before poverty-proofing came into operation; however the Department of Finance and the Department of Social, Community and Family Affairs had carried out poverty-proofing exercises in 1998 for the 1999 budget. The findings had been presented to the social partners and NGOs, who had reacted very enthusiastically. It was intended to extend poverty-proofing soon to local authorities, and it would be reviewed for applicability in all areas.

19. Mr. DOYLE said that education was crucial in breaking the cycle of inter-generational disadvantage and poverty, and in reintegrating into society those most at risk of being marginalized. Since the report had been issued, a scheme had been introduced to provide additional teaching assistance and funding to schools. Furthermore, the Government had decided to establish a new national educational psychology service. New legislation had been introduced in the form of an Educational Welfare Bill incorporating measures on truancy and absence from school. Evidence of the national commitment to education was demonstrated by the fact that £57 million had recently been invested.

20. Mr. MURPHY (Ireland), responding to the questions raised on housing, said that following the publication of the Bacon Report in April 1998 an assessment had been made of the measures undertaken. It was, however, too early to tell how effective those measures had been. In 1998, 42,500 new houses had been built and it was predicted that the figure would increase by 20 per cent in 1999. In order to improve the general situation, strategic planning guidelines had been drawn up by local authorities with emphasis being

placed on the greater Dublin area. The question of the incorporation of those guidelines in legislation had been considered in the context of the new Planning and Development Bill.

21. As regards the rate of house price increases, that ranged from 4 per cent in 1994 to 22.8 per cent in 1998. In relation to housing waiting lists, local authorities carried out a triennial assessment. The assessment conducted in 1996 had shown that 27,000 households were on such lists. Also evidence of inadequate housing had recently increased. Substantial funding had been devoted to local authority housing, and a Multi-Annual Housing Programme had recently been announced and was designed to build 22,000 new houses over the coming four years.

22. As regards homelessness, the latest figure available in the triennial housing assessment stood at 2,501. That figure was disputed by NGOs, since it was not a definitive measure. In fact, attention had been devoted to how to achieve an exact measurement of the needs of the homeless. In 1996, a special homeless initiative had been launched focusing on the Dublin area and involving local authorities and voluntary organizations. There had been a significant increase in capital funding devoted to accommodation for the homeless from £2 million in 1998 to £4 million in the current year. In addition, a special project to establish a foyer for training and accommodating the homeless had been announced in the 1999 budget. In the context of the 1999 assessment, as well as focusing attention on how to measure homelessness, the Government had made provision for the results of the assessment to be independently reviewed by the Economic and Social Research Institute.

23. Regarding the question of Traveller accommodation, the annual count conducted by the housing authorities in 1998 had revealed a total number of 1,148 Traveller families living on unofficial or illegal sites. The count covered 4,700 families, of which 2,300 were accommodated in standard local and special group housing and 1,150 living on temporary or permanent serviced sites. Following the publication of the task force report on the Travelling Community in 1995, the Government had adopted an appropriate strategy. That had led to the introduction of special legislation indicating that the housing authorities had to assess the needs of Travellers by drawing up and implementing a five-year programme in consultation with the Travellers themselves at local level. That provision for local level consultation was complemented by national provisions, in particular relating to the design and management of accommodation.

24. Ms. FLETCHER (Ireland) said that the increased investment in mental health services would lead to an enhanced level of care and protection for patients. Guidelines on good practice and quality assurance in mental health services had also been published and would assist in focusing on and defining the role of the consumer in such services. As regards mentally handicapped people, there were a number of measures designed to protect and care for them. All patients accommodated in psychiatric hospitals were covered by the provisions of the Mental Health Treatment Act. A social services inspectorate had been established by the Department of Health and Children as a statutory

body covering child-care services. It would in the future be extended to cover all health-board operated services including those provided by voluntary agencies.

25. The issue of improved access to services and levels of care was very important. Since 1993, £112.8 million had been invested in new and existing services. That figure would be increased still further by January 2000. There had been a significant improvement in the services available, although much remained to be done. The National Intellectual Disability Database report made a valuable contribution and was complemented by the report on the assessment of needs for the period 1997-2001. Continued investment was clearly required. Work was being conducted to develop the necessary standards, protocols and procedures for complaints. Research was being undertaken on the outcomes of such complaints and the development of evaluation tools in order to assess the effectiveness of services more closely.

26. Finally, the Department of Health and Children actively encouraged the involvement of families at all levels. Those families were involved in regional and local planning structures. That included reviewing the progress of the services available and incorporated the advocacy of persons who were mentally handicapped or others on their behalf. As regards seclusion, the necessary procedures and protocols were in place. In relation to legal redress against the detainment and ill-treatment of mentally ill patients, the procedure of habeas corpus could be invoked on behalf of clients. In relation to young people, 38 per cent of the population were aged 19 or under and a further 31 per cent were between the ages of 21 and 34. The Departments of Education and of Health and Children had invested in the appropriate services to improve support and access to them for young people. They were offered a range of educational and special and generic training and follow-on services. Although much progress had been made, much remained to be accomplished.

27. Mr. GOODMAN (Ireland) said that in certain cases it was possible to link major health problems to the issue of social class. For example, the rate of smoking and alcohol consumption was likely to be higher in the lower socio-economic classes. Such people were also likely to be bigger consumers of free medical services. As regards hospital waiting lists, the number of people on them had increased from 23,700 at the end of 1994 to 36,000 in December 1998. Despite a considerable injection of funds and a number of measures designed to reduce the waiting lists, suitable remedies had not been found. In fact, a review group had been set up to consider the matter. Outside the hard-pressed hospital system, additional funds for community based and "step-down" type facilities had been allocated. That had been done in order to free hospital beds which were occupied by people inappropriately accommodated. Funding had also been allocated to the accident and emergency services. There was some competition between health agencies to see who made best use of the funds. Of the allocated figure for 1999, £3 million had been held back as a subsequent incentive for the best performers. More important than the number of people on the hospital waiting lists was the amount of time they were forced to wait. In principle, no adult should wait for a period of more than 12 months and no child for more than 6 months.

28. A Government policy document on alcohol had been published in September 1996. However, that policy was still in the implementation phase and no review had been conducted on it. A broad range of interests was covered by the issue, including those of the drinks industry, the police and health boards. In relation to the issue of alcohol advertising, the Broadcasting Acts of 1990 and 1995 prohibited such advertising during children's television programmes. The industry had also established a voluntary code. Unfortunately, there was a lack of reliable data on many alcohol policy-related issues. A recent National Lifestyle Survey had provided baseline data, however, which would enable further comparisons to be made and changing needs to be reviewed. The alcohol-related policy concentrated more closely on young people, since it was hoped to educate them to adopt moderate and responsible attitudes.

29. A lot of work had been carried out in relation to the issue of teenage suicides. A task force had been established in November 1995, which in its final report, issued in February 1998, had referred to a prevention and reduction strategy. Since the report had been issued, various government departments had been involved in implementing its recommendations. Research and resource officers had been appointed to examine the problem in regional areas. Moreover, a suicide research group had been set up by the chief executives of health boards. A particular problem in relation to suicides was that of young men and a number of initiatives had been launched in that regard.

30. As regards the national policy on the elderly, the cornerstone of that policy was to support older people at home in dignity and independence and, where that was not possible, provide access to the highest possible quality hospital and residential care. The National Council on Ageing and Older People had identified support in the home and for carers as fundamental to improving the quality of life of older persons. In addition, the home help service had recently received increased funding so that it might extend its coverage and provide training courses for employees. The criteria of eligibility for free general medical services had been significantly extended in relation to the income guidelines for the over-70s. Also, additional resources had been allocated to health boards for the support of carers who provided extended and residential nursing care. A number of community nursing units had been introduced and there was increased use of private nursing homes. It was hoped that the initiative would relieve the problem of the acute bed shortage in major general hospitals.

31. In reply to the question raised regarding voluntary interruption of pregnancy, no such practice appeared to occur outside the law. Since the termination of pregnancy was prohibited under the law, some women went abroad to avail themselves of such services. The Government had recently initiated a review process on the abortion issue but no new policy was envisaged. The main area of concern was to ensure that unwanted pregnancies did not occur. For that purpose, educational measures and improved family planning services had been introduced. Also, additional funding had been given to target women between the ages of 15 and 34.

32. Finally, in relation to tobacco, Ireland subscribed to the approach adopted by the World Health Organization. Its national strategy was based on

three components. The first was a fiscal approach, aimed at a realistic increase in the excise duty on cigarettes. Secondly, a range of health education and promotion programmes had been launched. Thirdly, the law controlled the content of advertising and issued the necessary warnings. The amount tobacco companies might devote to commercial sponsorship had been capped and increases were made only in line with inflation. It was hoped that Ireland would introduce the European Union directive on the matter very shortly. The Lifestyle Survey showed that tobacco consumption continued to be a major problem, in particular among women in the low income group. The Ministry of Health and Children had established a high-level group to consider a full range of issues and initiatives. However, despite previous initiatives and policies, the desired improvement had not been achieved.

33. Ms. O'CONNOR, in answer to Mr. Hunt's question on recent developments in the area of domestic violence against women, said that a report on the achievements of the Task Force on Violence Against Women, published in March 1999, outlined all relevant actions, including research, prevention measures, awareness-raising and actions involving the police. The discussion document on sexual offences and their impact on victims would provide the background for legislation on sexual offences and propose ways of dealing with perpetrators as well as victims. Research was being carried out by a voluntary organization into the implementation of the Domestic Violence Act, 1996, in several areas such as remedies, including a breakdown by gender. Figures available on domestic violence and remedies were incomplete and dated back to 1996 but the delegation would endeavour to provide more up-to-date statistics for the Committee in the near future.

34. Mr. McDONAGH, referring to questions on the health treatment of prisoners, in particular prisoners in Mountjoy jail, said that two new male prisons would be completed that year, one of which would be a remand prison. Generally, prisoners were entitled to the same health treatment they would have enjoyed outside in the community. Consequently, the new prisons would be fitted with improved health facilities. Admittedly, overcrowding would affect the extent of the service.

35. Mr. MANGAN said that single-parent families were a growing phenomenon in Ireland, as in other countries, due to the increasing number of unmarried or separated parents. A new One-Parent Family Payment would be introduced to replace the previous scheme, which had discriminated against lone parents on the basis of gender. The new scheme would be more uniform, offering weekly benefits to lone parents, irrespective of the reasons for their status. The Government was also concerned that lone parents were among the least actively employed and that when their children were old enough for them to work, those parents were often unskilled or demotivated. Under the new scheme, lone parents could earn substantial amounts and still qualify for benefits. In fact, access to employment services would be encouraged, as opposed to past practice. The aim of the Government was to provide adequate income so that lone parents would eventually be reintegrated into part-time or full-time employment.

36. The CHAIRPERSON invited the Committee members to pose questions on articles 13 and 15 of the Covenant.

37. Mr. CEAUSU, referring to paragraph 745 of the initial report of Ireland (E/1990/5/Add.34), expressed surprise at the high number of primary school students who had access to remedial services. In some countries, there were approximately 20 to 25 per cent gifted children, but the vast majority of children did not need remedial teaching. Paragraph 811 indicated that 85 per cent of the 12-18 age group were in full-time education. What were the boy/girl proportion in that 85 per cent?

38. Mr. ANTANOVICH, quoting from paragraph 685 of the initial report of Ireland, which indicated that the State reserved "the right to allow parents to provide for the education of their children in their homes" as long as minimum standards were observed, said that that was in contradiction to article 13, paragraph 2 (a), of the Covenant, which provided for the provision of free and compulsory primary education to all. What did Ireland understand by minimum education when measured by "the inalienable right and duty of parents to provide for the education of children"? Why was primary education the duty of parents whereas the State was obliged only to provide for it? Turning to paragraph 698 of the same report, he said that he was more accustomed to families being responsible for children's upbringing rather than their education. He wondered whether private home tuition at primary level was still an extensive practice in Ireland and how it fitted in with the curriculum of government schools.

39. He queried the meaning of "the ethos of a school" in paragraph 699 of the same report. Was a school's ethos representative of an ideology or simply a set of rules of conduct in the school? According to an NGO report, there was a disturbingly high number of early school leavers with little or no qualifications. He wondered whether there was a correlation between the drop-out rate and illiteracy, whether the Government had measured such illiteracy and whether it was tackling the problem. In reference to Traveller children, he said that the use of the word "special" in paragraph 769 of the same report suggested some degree of segregation.

40. Did paragraph 16, which referred to the Irish language as "the first official language" and English as "a second official language", point to a bilingual situation? If, indeed, the national language was perceived to be threatened, he wondered whether the Government had a policy to promote it through the support of artistic, cultural and literary activities at the grass-roots, primary- and secondary-school levels. He wanted to know what the language of instruction was in universities and whether there were any language preferences.

41. Mr. MARCHAN ROMERO, referring to article 15 of the Covenant, said that culture was widely recognized as a powerful vehicle of cohesion and wondered whether there were any special cultural programmes to promote national peace. He asked whether the Travelling Community was recognized as an ethnic group and whether any support was given to it to ensure its active participation in cultural activities. Had any substantial changes been made to censorship in Ireland following the recommendation of the Human Rights Committee calling for greater freedom of expression? He wondered whether the new law on royalties enacted at the beginning of 1999 had effectively aligned domestic legislation with World Trade Organization standards in relation to intellectual property rights. He went on to ask about measures in place to ensure the effective

participation of the mentally and physically disabled in cultural activities. Returning to the question of languages, he asked what language was used in school textbooks and films and whether there were any bilingual cultural programmes.

42. Ms. JIMÉNEZ BUTRAGUEÑO wondered whether there were facilities for the elderly to pursue studies and to attend cultural events. She asked whether universities took advantage of retired teachers and whether they offered "professor emeritus" titles. What was the scope of the participation of associations of the elderly and non-governmental organizations in rural development? Additionally, she was curious to know the origins of the Irish language, as she had sought for similarities with Galician (a regional language of her own country).

43. Mr. RIEDEL said that Mr. Antanovich's question on primary education was still relevant and asked for further explanations about what was a uniquely Irish situation in the European context. What role did families play in that regard? He also wondered whether government policy on free and compulsory primary education was in conflict with the family's right to what might be considered exclusive education. He asked for the percentage of post-primary classes with over 35 students and wondered whether there was an increased number of lower-income students entering university.

44. Mr. WIMER ZAMBRANO, referring to the delegation's written reply to issue 37 (HR/CESCR/NONE/1999/1), noted that, under the Universities Act, 1997, Ireland had seven universities, three of which were located in Dublin. Was the division based on geography, academic level or specialization?

45. Mr. SADI said that there was insufficient information on the informal educational system. The delegation had informed the Committee that it had been awaiting new school attendance legislation in order to provide information on the number of parents who chose to educate their children outside the formal school system. However, it was surprising that such information on the scope of that type of schooling was still not available. Could the delegation provide precise examples of school attendance officers or courts carrying out inspections of instruction offered by parents or guardians? He wondered whether the cost of university education was being minimized so as to facilitate the entry of a maximum number of students, with the aim of progressively introducing free education in higher education, as stipulated under the Covenant.

46. Mr. THAPALIA, asked, in view of the high number of disadvantaged children who left school without any qualifications, what the literacy rate among adults was and what steps the Government was taking to combat the problem. He also inquired about the grants offered to disadvantaged youths and the measures being taken to improve the access of Travellers' children to primary schools, especially in the light of their inadequate housing situation.

47. Mr. DOYLE (Ireland) said that should he be unable to answer all the wide-ranging and specific questions put by Committee members before the end of business, he would do so promptly in writing. In answer to a question on the number of children in Ireland in need of remedial training, he explained that

the figures contained in the report referred to the percentage of schools where such education was available, rather than the actual number of pupils. Remedial education was available in all primary schools where it was needed, and full remedial services were available in secondary schools. To another question, he responded that in 1996-1997 the number of pupils in full-time secondary education had been 181,000 boys and 189,000 girls.

48. While the Government, as guardians of the common good, appreciated the importance of providing adequate education for Irish children, there were no plans to change the 1937 constitutional provision whereby parents, as the primary educators, enjoyed the additional right to educate their children at home as long as government inspectors deemed such education to be adequate. Under the new 1998 Education Welfare Bill, parents whose children were not enrolled in the State-recognized primary-school system, were required to enter the names on a register to be maintained by the new Education Welfare Board, which would be responsible for evaluating the quality of home education and taking the necessary measures to redress any deficiencies. The number of children educated outside the recognized system - under one per cent - was minute in relation to the pupil cohort. Inspections were carried out, and offending parents could be taken to court and made to provide adequate education or enrol the child in a recognized school.

49. Referring to the meaning of the term "school ethos", he said that it defined the characteristic spirit of a school and the values it upheld. The concept had been expanded in the 1998 Education Act, copies of which would be dispatched to Committee members.

50. On the subject of school drop-out, he said that since the new legislation would raise the minimum school-leaving age from 15 to 16, government measures were aimed at identifying problems and intervening promptly to encourage young people at risk of dropping out. They included the comprehensive Early Childhood Education Programme targeting likely disadvantaged areas. Under that programme, a consultation and research process had culminated in a set of criteria to determine the areas that fell within the ambit of the programme, which in 1998 had covered 3,800 primary schools and 800 secondary schools. A provision of the Taxation Code also discouraged companies from advertising harmful substances, urging them, instead, to make tax-deductible donations to disadvantaged primary and secondary schools under the 1998 Finance Act.

51. The new Breaking the Cycle scheme was designed to end the inter-generational cycle of disadvantage and involved 33 urban schools with 7,000 pupils and 123 rural schools with 6,800 pupils. There was also an array of other support measures, including additional staff and funding and special in-service training for teachers and other education personnel. There was also a Teacher Counsellor Scheme, and a Home School Community Liaison Scheme, which worked not with pupils, but with families and community agencies, as its name implied, in an effort to maintain and increase the family's interest in education. Those were all new measures recently announced by the Minister of Education as part of the £57 million package to reduce educational disadvantage even if they could not totally eliminate it. Curricular reform was another important aspect of the endeavour to encourage pupils to stay in school.

52. Necessitous pupils could receive a text-book grant under a long-standing scheme. Guidance services had recently been expanded with the approval of the creation of the National Education Psychological Service, which was currently recruiting additional psychologists. Dedicated teacher-training support units were another major educational plank for reducing drop-out rates. The 8-15 Early School Leavers Initiative comprised a research and an evaluation branch and sought ways of addressing school drop-out. In order to assist disadvantaged citizens attain the standard of education required for university entrance, the national Higher Education Authority, a statutory body, received substantial grants and maintained links with secondary schools and local communities. Also, tertiary education fees, including university fees, were being abolished. There was a standard maintenance grant, details of which he would forward to the Committee.

53. Barely 10 per cent of Traveller children in Ireland needed special tuition. There was no element of segregation involved. Once integration was complete, the special schools would be closed, but not before. To another question, he replied that Irish was indeed the native language; in some parts of Ireland it was the mother tongue and was used in schools and text books. In response to Mrs. Jimenez Butragueño's question, he said that there had been 107,000 full-time university students in Ireland in 1997-1998, 10,000 of them over 25. While universities did not provide special courses for the elderly, they did offer a vast range and number of extramural courses designed primarily for the mature.

54. Mr. McDONAGH (Ireland) said that censorship in Ireland was extremely limited and involved a mere 20 books and 19 publications portraying violence and pornography, which were neither cultural nor educational. Replying to Mr. Marchán Romero's question on copyright law, he said that a copyright bill was currently before the Senate and was designed to bring it into line with the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement.

55. Mr. ROWAN (Ireland), responding to another question from Mr. Marchán Romero concerning measures to promote reconciliation and support the Irish language, said that once the final implementation problems of the Good Friday Agreement had been resolved, a special fully-funded North-South body would be created to deal with language problems and would undertake various projects to promote the Irish language in both parts of the country. The wider concept of reconciliation with regard to the victims of violence had also been addressed in the Agreement, and commissions had been established in both parts of Ireland. In addition to compensation to victims, a number of activities came under the broadly cultural heading of culture. An interdepartmental committee had been set up to develop the site of the Battle of the Boyne, which had cultural significance for the North, as a confidence-building measure, and to build a war memorial in Belgium to commemorate the victims of the First World War. That body would undertake further projects as it developed.

56. Mr. McDONAGH (Ireland) said the Arts Council also operated arts and crafts and other cultural schemes for the disabled, in conjunction with the National Rehabilitation Authority.

57. Mr. DOYLE (Ireland) said that the 1997 Universities Act had altered the structure of the universities from one of a set of non-autonomous colleges under an umbrella body, the National University of Ireland, to seven independent universities that could henceforth award their own degrees.

58. Mr. SADI, considering that even under the inspectors' scrutiny the quality of home education could never be totally adequate, asked whether the Government would withdraw its reservation if that was found to be the case. He also sought information on human rights education in Ireland.

59. Mr. ANTANOVICH asked whether the language of instruction in universities was Irish or English. He would also like to know how youth illiteracy was measured and addressed.

60. Mr. WIMER ZAMBRANO professed confusion about Traveller education. If the children had special needs, why were they being asked to enrol in registered schools?

61. Mrs. JIMENEZ BUTRAGUEÑO asked how children educated at home were certified.

62. Mr. DOYLE (Ireland), replying to Mr. Sadi, said that home education was indeed capable of meeting certain minimum standards, which would not necessarily be low if, for instance, a qualified teacher decided to stay at home and educate his or her children there. He admitted that such instances would be the exception rather than the rule. In response to Mrs. Jimenez Butragueño's question, he said that while primary education received at home was not formally evaluated, pupils were required to sit a State post-primary and school-leaving examination at the ages of 15 and 17-18 respectively. Admittedly, with the extension of computer use in primary schools, it was increasingly difficult for the requisite standard to be met outside the school.

63. The language of instruction in universities was basically English, although in some areas, such as Galway, many courses were delivered in Irish. Concerning literacy, he said that he would forward the relevant statistics to the Committee. However, an OECD study had put the adult illiteracy rate at 25 per cent, and adult educators were hired to improve that level of education. There was also an Adult Literacy and Community Education Scheme for disadvantaged adults.

64. Mr. McDONAGH (Ireland) thanked the Committee for its warm welcome and constructive comments, which betokened the new levels of cooperation required for implementation of the Covenant and for Ireland's task in tackling marginalization.

65. On the topic of disabilities, he said that while much remained to be done, the 1996 Report of the Commission on the Status of People with Disabilities had culminated in the appointment of a Minister of State responsible for the disabled. The Irish Council of People with Disabilities had been established with generous State funding, as had been an interim

National Disability Authority - soon to become a statutory body - to advise the Government on disability policy. The Employment Equality Act, soon due to take effect, prohibited employment discrimination against the disabled. In addition, the Government had announced that all dwellings constructed as of 2000 must be accessible to the disabled.

66. No cultural stigma attached to disability in Ireland. The country had that very day been awarded the 1998 Franklin Delano Roosevelt International Disability Award in recognition of its progress towards the goal of full participation of disabled citizens. Ireland would also be hosting the Special Olympics in 2003.

The meeting rose at 6 p.m.